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Item 5 of the provisional agenda*

**CRIMINAL JUSTICE AND POLICE SYSTEMS: MANAGEMENT AND IMPROVEMENT OF POLICE AND OTHER LAW ENFORCEMENT AGENCIES, PROSECUTION, COURTS AND CORRECTIONS; AND THE ROLE OF LAWYERS**

**Letter dated 16 December 1994 from the Permanent Mission of Poland to the United Nations (Vienna) addressed to the Executive Secretary of the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders**

Upon instruction of my authorities I have the pleasure to submit, in pursuance of rule 28 of the rules of procedure for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, to be held at Cairo from 29 April to 8 May 1995, the draft resolution entitled "Criminal justice management in the context of accountability of public administration and sustainable development". This draft resolution relates to item 5 of the provisional agenda for the Ninth Congress.

Accept, Sir, the assurances of my highest consideration.

(*Signed*) Jerzy M. Nowak
*Ambassador*

*A/CONF.169/1.

## DRAFT RESOLUTION

### Criminal justice management in the context of accountability of public administration and sustainable development

*The Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,*

*Bearing in mind* that criminal justice administrators should be answerable for their performance in the criminal justice system and that all administrators are responsible for humane and efficient criminal justice operations,

*Bearing in mind also* that criminal justice management is a part of public administration accountable to the public at large,

*Emphasizing* that criminal justice operations should be part of a policy of sustainable development of resources that includes ensuring justice and the safety of citizens,

*Recalling* the statement of principles and programme of action of the United Nations crime prevention and criminal justice programme, annexed to General Assembly resolution 46/152 of 18 December 1991, which stipulates that in determining areas of priority of the programme, consideration should be given to, *inter alia*, empirical evidence, including research findings and other information on the nature and extent of crime and on trends in crime,

*Recalling* General Assembly resolution 45/109 of 14 December 1990, on computerization of criminal justice, in which the Assembly requested the Secretary-General to establish an international group of experts that would, *inter alia*, review and assess national experiences in the computerization of criminal justice,

*Recalling* the resolution entitled "Management of criminal justice and development of sentencing policies" adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,[1]

*Considering* the importance of the clearing-house functions of the Crime Prevention and Criminal Justice Branch of the Secretariat, as emphasized by the Economic and Social Council in its resolutions 1992/22, section I, of 30 July 1992 and 1993/34, section IV, of 27 July 1993 and by the Commission on Crime Prevention and Criminal Justice in its resolution 3/3 of 5 May 1994,

*Conscious* of the ever-changing nature of criminal activities, including new ways and means of committing and concealing criminal acts, and of the difficulties encountered by criminal justice systems in dealing with those activities, particularly in detecting and preventing such acts, in the context of rapidly developing information technology, including computerized international networking and data handling, which provide opportunities for the abuse of privacy,

*Recognizing* that modern types and forms of criminality present a challenge to the traditional legislative and administrative, including statistical, framework of criminal justice operations and call for modern data automation projects that facilitate system-wide administration,

*Aware* that the present legislative and operational capabilities of the United Nations crime prevention and criminal justice programme lag behind the challenges posed by the ever-growing sophistication, organization and internationalization of crime,

*Alarmed* by the fact that the various new forms of crime that have spread throughout Europe are not limited by borders of States or continents,

*Convinced* that global economic, political and legal transformations call for new modalities for the exchange of experiences and information in criminal justice management with a view to providing a basis for sustainable development,

*Realizing* that the openness of criminal justice administrators to managerial innovations in other States, with due regard to the legal, social and cultural specificity of each jurisdiction, may help to alleviate the common problem of dealing with new forms of crime resulting from a more dynamic movement of peoples and ideas, regionally and interregionally,

*Mindful* of the role of the United Nations Crime and Justice Information Network as a viable tool for the exchange of information in the context of changing patterns and forms of crime, criminal justice operations and crime prevention strategies,

1. *Calls upon* Member States to intensify their efforts to exchange experiences and innovations in criminal justice operations by bringing to the attention of top-level and middle-level decision makers the benefits of cross-national analyses of developments in crime and justice at the global, regional and national levels in a practical manner;

2. *Encourages* Member States, intergovernmental organizations and non-governmental professional organizations to include in their programmes of work developmental projects that deal with criminal justice management issues in a more comprehensive manner, taking into consideration accountability and sustainability;

3. *Welcomes* in this context projects dealing with global trends in conventional and transnational crime and justice issues, including the development of the United Nations Crime and Justice Information Network, which are being implemented pursuant to the Economic and Social Council resolution 1992/22, section I;

4. *Invites* Member States and intergovernmental and non-governmental organizations to contribute to the further development of the United Nations Crime and Justice Information Network, that being one of the ways to promote a more dynamic and efficient exchange of criminal justice information within the international community;

5. *Urges* Member States, intergovernmental and non-governmental organizations to become active members of the United Nations Crime and Justice Information Network by mobilizing expertise, material and other resources in order to make its services more responsive to evolving information needs;

6. *Requests* the Commission on Crime Prevention and Criminal Justice, starting with its fourth session, to make periodic reviews of the membership and databases of the United Nations Crime and Justice Information Network, with a view to increasing the participation in the Network of members of the Commission, intergovernmental and non-governmental organizations, and academic and other research institutions;

7. *Requests* developed countries to promote the broader participation of developing countries in the United Nations Crime and Justice Information Network by offering them assistance in:

(a) Reviewing data and other information needs in their criminal justice operations with a view to making those operations a more accountable part of public administration;

(b) Financing the training of criminal justice and technical staff involved in collecting, providing and disseminating data and other information to be included in national criminal justice statistical databases and in the United Nations Crime and Justice Information Network;

(c) Organizing study tours, donating computer equipment and programs, and covering telecommunication expenses;

8. *Requests* the Commission on Crime Prevention and Criminal Justice to urgently consider recommending the establishment of an ad hoc expert group on statistical and computerized criminal justice applications to advise the Commission, through the Secretary-General, on related technical cooperation projects, including their funding by the public and private sectors;

9. *Requests* the Commission on Crime Prevention and Criminal Justice at its fourth session to urgently consider the resource implications involved in strengthening the management and information functions of the Crime Prevention and Criminal Justice Branch of the Secretariat and other elements of the United Nations crime prevention and criminal justice programme to reflect the resolve of the international community to pursue the programme priorities determined in accordance with the statement of principles and programme of action of the programme, annexed to General Assembly resolution 46/152;

10. *Requests* the Secretary-General to prepare for the consideration of the Commission on Crime Prevention and Criminal Justice at its fifth session a comprehensive action plan on criminal justice management, commensurate with the priorities of the United Nations crime prevention and criminal justice programme, and to report to the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders on the implementation of that action plan.

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[1]See *Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, 27 August-7 September 1990: report prepared by the Secretariat* (United Nations publication, Sales No. E.91.IV.2), chap. I, sect. C.19.